

AMENDED IN SENATE AUGUST 22, 2011

AMENDED IN ASSEMBLY MAY 27, 2011

AMENDED IN ASSEMBLY APRIL 6, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 610

Introduced by Assembly Member Solorio
(Coauthors: Assembly Members Blumenfield, Gatto, and Jeffries,
***and Williams*)**

February 16, 2011

An act to add *and repeal* Section 5156.5 ~~to~~ of the Vehicle Code, relating to vehicles, *and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

AB 610, as amended, Solorio. Vehicles: specialized license plates: ~~donations.~~ *Veterinary Medical Board: pilot program.*

~~Under~~

(1) *Under* existing law, the Department of Motor Vehicles issues environmental and other specialized license plates. The issuance of some of those license plates is subject to additional fees. Existing law prohibits the department from establishing a specialized license plate program for a state agency until the department has received not less than 7,500 applications for the plates.

This bill would, *until January 1, 2015*, ~~authorize a state agency, board, or commission, as defined, the Veterinary Medical Board~~ to sponsor a specialized license plate *pilot* program if certain conditions are met. The bill would only require that *an initial* 2,500 paid applications be collected and held by the ~~sponsoring agency board~~ and that a sufficient

amount of additional funds be received from donations to cover the department's startup costs for the manufacture of the specialized license plate. The bill would require the ~~sponsoring agency board~~ to actively request and receive donations from public and private entities that would be deposited into the Specialized License Plate Fund and, upon determination by the department that there are sufficient funds for the program, moneys would be available, upon appropriation by the Legislature, to the department for the necessary administrative costs of establishing the specialized license plate program and, as to any remaining moneys, for allocation to the ~~sponsoring agency board for programs that support city and county animal shelters~~.

The bill would require the department to provide to the ~~sponsoring state agency, board, or commission board~~ a cost estimate of its actual costs to initiate the specialized plate program.

(2) *This bill would declare that it is to take effect immediately as an urgency statute.*

Vote: ~~majority~~^{2/3}. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. *The Legislature finds and declares all of the*
2 *following:*

3 (a) *Based on statistics from the State Department of Public*
4 *Health for 2010, 467,096 dogs and 400,433 cats entered shelters*
5 *in the state. Of the number of dogs entering shelters, 19 percent*
6 *were reclaimed by owners, 32 percent were adopted, and 38*
7 *percent were euthanized. Of the number of cats entering shelters,*
8 *only 2 percent were reclaimed by owners and only 20 percent were*
9 *adopted, and 69 percent were euthanized. The data is incomplete*
10 *because it does not include two nonreporting counties and some*
11 *counties only partially reported, and the statistics do not include*
12 *private shelters. Thus, in 2010, more than 867,529 dogs and cats*
13 *entered shelters.*

14 (b) *In the United States today, it costs taxpayers an estimated*
15 *two billion dollars (\$2,000,000,000) each year, to round up, house,*
16 *kill, and dispose of homeless animals. An estimated 5,000,000 cats*
17 *and dogs are killed in shelters each year, which means that a dog*
18 *or cat is killed every six and one-half seconds in the United States.*

1 *Millions more are abandoned, only to suffer from illness or injury*
2 *before dying.*

3 *(c) In six years one unspayed female dog and her offspring can*
4 *reproduce 67,000 dogs. On average it costs approximately one*
5 *hundred dollars (\$100) to capture, house, feed, and eventually kill*
6 *a homeless animal—a cost that ultimately comes out of the*
7 *taxpayers' pockets. Low-cost spaying and neutering services are*
8 *far below that amount. Thus, the cost of having a pregnant female*
9 *dog can be much higher than the cost of spaying.*

10 *(d) Each day, seven dogs and cats are born for each person*
11 *born in the United States. Of those, only one in five puppies and*
12 *kittens stay in their original homes for their natural lifetime. The*
13 *remaining four are abandoned to the streets or end up at a shelter.*
14 *As long as these birth rates exist, there will never be enough homes*
15 *for all of the animals.*

16 **SECTION 1.**

17 **SEC. 2.** Section 5156.5 is added to the Vehicle Code, to read:

18 5156.5. (a) (1) ~~A state agency, board, or commission~~ *The*
19 *Veterinary Medical Board* may apply to the department to sponsor
20 a specialized license plate program, and the department shall issue
21 specialized license plates for that program, if the ~~agency~~ *board*
22 complies with all of the requirements of this section. The
23 specialized license plate shall be of a size, color, and configuration
24 that meets the design criteria as set forth in Section 5155. ~~As used~~
25 ~~in this section, "agency" includes a state agency, board, or~~
26 ~~commission.~~

27 (2) The department shall not issue specialized license plates to
28 ~~an agency~~ *the board* for a vehicle that is exempt from the payment
29 of registration fees pursuant to Section 9101 or 9103.

30 (b) ~~An agency~~ *The board* may sponsor a specialized license
31 plate program and the department may establish the program in
32 the absence of 7,500 paid applications, as would be required under
33 subdivision (a) of Section 5156 or Section 5157, if all of the
34 following conditions are met:

35 (1) The department shall not establish a specialized license plate
36 program for ~~an agency~~ *the board* until the department has received
37 not less than 2,500 paid applications for ~~that agency's~~ *the board's*
38 specialized license plates and a sufficient amount of additional
39 funds from donations to cover the department's startup costs for
40 the manufacture of the specialized license plate. ~~The agency board~~

1 shall collect and hold applications for the plates. Once the ~~agency~~
2 ~~board~~ has received at least 2,500 paid applications, it shall submit
3 the applications, along with the necessary fees, to the department.
4 The department shall not issue a specialized license plate until the
5 ~~agency board~~ has received and submitted to the department not
6 less than 2,500 *paid* applications for the particular specialized
7 license plate within the time period prescribed in this section.
8 Advance payment to the department by the ~~agency board~~
9 representing the department's estimated or actual administrative
10 costs associated with the issuance of a particular specialized license
11 plate shall not constitute compliance with this requirement. The
12 ~~agency board~~ shall have 12 months, following the date of approval
13 of the ~~agency's board's~~ initial application to sponsor a specialized
14 license plate program, to receive the required number of
15 applications. If, after 12 months, 2,500 *paid* applications have not
16 been received, the ~~agency board~~ shall immediately do either of
17 the following:

18 (A) Refund to all applicants all fees or deposits that have been
19 collected.

20 (B) Contact the department to indicate the ~~agency's board's~~
21 intent to undertake collection of additional applications and fees
22 or deposits for an additional period, not to exceed 12 months, in
23 order to obtain the minimum 2,500 *paid* applications. If the ~~agency~~
24 ~~board~~ elects to exercise the option under this subparagraph, it shall
25 contact each applicant who has submitted an application with the
26 appropriate fees or deposits to determine if the applicant wishes a
27 refund of fees or deposits or requests the continuance of the holding
28 of the application and fees or deposits until that time that the
29 ~~agency board~~ has received 2,500 *paid* applications. The ~~agency~~
30 ~~board~~ shall refund the fees or deposits to an applicant so requesting.
31 The ~~agency board~~ shall not collect and hold applications for a
32 period exceeding 24 months following the date of approval of the
33 ~~agency's board's~~ initial application to sponsor a specialized license
34 plate program.

35 (2) The ~~agency board~~ actively requests and receives donations
36 for the specialized license plate program, which may consist of
37 donations from public and private entities for deposit into the
38 Specialized License Plate Fund. Earnings generated from donations
39 shall be retained for the specialized license plate program
40 authorized by this section.

1 (3) Upon determination by the department that there are
2 sufficient funds for the program, moneys shall be available, upon
3 appropriation by the Legislature, to the department for the
4 necessary administrative costs of establishing the specialized
5 license plate program.

6 ~~(e) (1) If the number of outstanding and valid specialized license~~
7 ~~plates in a particular program provided for in this section is less~~
8 ~~than 2,500, the department shall notify the sponsoring agency of~~
9 ~~that fact and shall inform the agency that if that number is less~~
10 ~~than 2,500 one year from the date of that notification, the~~
11 ~~department will no longer issue or replace those specialized license~~
12 ~~plates.~~

13 *(c) (1) If the number of outstanding and valid specialized license*
14 *plates in the second year of the pilot program, including new*
15 *applications and renewals, are not more than 5,000, or more than*
16 *7,500 in the third year of the pilot program, the department shall*
17 *notify the board of that fact and shall inform the board that the*
18 *department will no longer issue or replace those specialized license*
19 *plates.*

20 (2) Those particular specialized license plates that were issued
21 prior to the discontinuation provided by paragraph (1) may continue
22 to be used and attached to the vehicle for which they were issued
23 and may be renewed, retained, or transferred pursuant to this code.

24 (d) In addition to the regular fees for an original registration or
25 renewal of registration, the following additional fees shall be paid
26 for the issuance, renewal, or transfer of the specialized license
27 plates:

28 (1) Fifty dollars (\$50) for the original issuance of the plates.

29 (2) Forty dollars (\$40) for a renewal of registration with the
30 plates.

31 (3) Fifteen dollars (\$15) for transfer of the plates to another
32 vehicle.

33 (4) Thirty-five dollars (\$35) for each substitute replacement
34 plate.

35 (e) After deducting its administrative costs under this section,
36 which moneys shall be available for expenditure by the department,
37 upon appropriation by the Legislature, the department shall deposit
38 the additional revenue derived from the issuance, renewal, transfer,
39 and substitution of the specialized license plates in the Specialized
40 License Plate Fund. Upon appropriation by the Legislature, the

1 moneys in that fund shall be allocated to each sponsoring agency;
2 in proportion to the amount in the fund that is attributable to the
3 agency's specialized license plate program. Except as authorized
4 under Section 5159, the sponsoring agency shall expend all funds
5 received under this section exclusively for projects and programs
6 that promote the agency's official policy, mission, or work. moneys
7 in that fund shall be allocated to the board and, except as
8 authorized under Section 5159, the board shall expend all funds
9 received under this section exclusively for projects and programs
10 that support city and county animal shelters, including, but not
11 limited to, spaying and neutering programs and adoption
12 programs.

13 (f) The department shall provide to the sponsoring state agency;
14 board, or commission board an estimate of its actual costs to
15 initiate the specialized license plate program authorized under this
16 section.

17 (g) *This section shall remain in effect only until January 1, 2015,*
18 *and as of that date is repealed, unless a later enacted statute, that*
19 *is enacted before January 1, 2015, deletes or extends that date.*

20 SEC. 3. *This act is an urgency statute necessary for the*
21 *immediate preservation of the public peace, health, or safety within*
22 *the meaning of Article IV of the Constitution and shall go into*
23 *immediate effect. The facts constituting the necessity are:*

24 *In order to ensure that the pilot program for a specialized license*
25 *plate becomes operative as soon as possible to allow the Veterinary*
26 *Medical Board to support the critically important efforts of city*
27 *and county animal shelters to address serious animal care and*
28 *control problems facing the state, it is necessary that this act go*
29 *into effect immediately.*